IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.40304 of 2008
SHANKAR NISHAD
Versus
STATE OF BIHAR
---

2. 22.12.2008 Heard.

The petitioner is an accused in a case instituted under section 307 IPC and section 2591-B)A,26 and 27 of the Arms Act.

As per the allegations in the FIR, the petitioner is said to have fired on the injured close to the chest. The doctor has found the corresponding injuries close to the ribs of the neck. It further appears that the petitioner was captivated by the inmates of the house and later on produced before the police.

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Counsel for the petitioner submits that the petitioner has falsely been implicated in this case as the family feud is admitted in the FIR and he is in custody since 26.5.2008.

There is direct allegation against the petitioner which is supported by the injury report (annexure2).

Having considered the facts and circumstances of the case and the manner in which the offence allegedly was committed by the petitioner, this Court, for the present, is not inclined to grant bail to the petitioner.

The application is dismissed.

However, considering the fact that the petitioner is

in custody since 26.5.2008, this Court grants him liberty to renew his prayer for bail after six months, if the trial of the case, in the meanwhile, is not taken up.

hr **(Kishore K. Mandal)**

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